

Also, petition of Amalgamated Woodworkers of America, against reduction of duty on lumber—to the Committee on Ways and Means.

Also, petition of Hudson Valley Muslin Underwear Company, of Poughkeepsie, N. Y., against raising duty on laces and embroidery—to the Committee on Ways and Means.

Also, petition of Darling & Co., of Long Island City, N. Y., against a reduction of the duty on glue—to the Committee on Ways and Means.

Also, petition of adjutant-general of New York State, favoring S. 1691, introduced by Mr. WARREN, April 15, 1909—to the Committee on Militia.

Also, petition of New York City Federation of Women's Clubs, protesting conditions in Armenia—to the Committee on Foreign Affairs.

By Mr. COOK: Petition of Reformed Germantown Avenue Building and Loan Association, of Philadelphia, against any bill to tax building associations—to the Committee on Ways and Means.

By Mr. COOPER of Pennsylvania: Petition of Reformed Germantown Avenue Building and Loan Association, of Philadelphia, against application of corporation-tax feature of pending tariff bill to building associations—to the Committee on Ways and Means.

Also, petition of Albert C. Winters and other citizens of Fayette City, Pa., favoring more effective immigration laws—to the Committee on Immigration and Naturalization.

By Mr. ESCH: Petition of executive committee of Northwestern Mutual Life Insurance Company, against tax of 2 per cent on all mutual life insurance associations, as provided in corporation-tax feature of pending tariff measure—to the Committee on Ways and Means.

By Mr. FULLER: Petition of Samuel Holmes, of New York City, against corporation-tax feature of the tariff bill—to the Committee on Ways and Means.

Also, petition of Upson & Burrows, of Rockford, Ill., against the pending tariff bill—to the Committee on Ways and Means.

Also, petition of P. Rielly & Son, of Newark, N. J., for free hides—to the Committee on Ways and Means.

Also, petition of D. J. Stewart & Co., of Rockford, Ill., against increase of duty on dry goods—to the Committee on Ways and Means.

By Mr. GOULDEN: Petition of J. Moody & Co., of New York City, against amendment of paragraph 345½ in tariff bill, relative to laces, etc.—to the Committee on Ways and Means.

Also, petition of American Clay Producers' Association, against reduction of duty on pulp and paper—to the Committee on Ways and Means.

Also, petition of American manufacturers of paper-makers' felts and jackets, against reduction of tariff on pulp and paper—to the Committee on Ways and Means.

Also, petitions of Endicott-Johnson Company, of Endicott, N. Y.; New England Shoe and Leather Association; and Hans Rees Sons (Incorporated), of New York City, favoring free hides—to the Committee on Ways and Means.

Also, petitions of Frankfort Insurance Company and Deloitte, Plender, Griffiths & Co. and others, of New York City, against the corporation-tax feature of tariff bill—to the Committee on Ways and Means.

By Mr. HANNA: Petition of citizens of La Moure, N. Dak., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. McKINNEY: Petition of Cigar Makers' Union No. 305, of Monmouth, Ill., against free importation of cigars from the Philippines—to the Committee on Ways and Means.

By Mr. PEARRE: Petition of employees of the Union Manufacturing Company, of Frederick, Md., urging adoption of tariff rates on hosiery as provided in the House tariff bill—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Liezman & Weil, of New York City, against provisions of paragraph 177 of pending tariff bill—to the Committee on Ways and Means.

Also, petition of Weingarten Brothers, against raise of duty on laces and embroidery—to the Committee on Ways and Means.

Also, petition of Frankfort Insurance Company and Deloitte, Plender, Griffiths & Co., against applying corporation-tax feature of pending tariff bill to insurance companies—to the Committee on Ways and Means.

Also, petition of Frederick de Bary & Co., against increase of duty on wines, etc.—to the Committee on Ways and Means.

Also, petition of P. Rielly & Son, of Newark, N. J., and New England Shoe and Leather Association, of Boston, Mass., against duty on hides—to the Committee on Ways and Means.

## SENATE.

TUESDAY, July 13, 1909.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Vice-President being absent, the President pro tempore took the chair.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. LODGE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal stands approved.

## MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the Senate by Mr. M. C. Latta, one of his secretaries.

## FINDINGS OF THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes:

Thomas W. Crutchfield, executor of the estate of William Crutchfield, deceased, *v.* United States (S. Doc. No. 125); and Rose Douglass Bullard, Ada E. Colburn, Catharine D. Waggener, Mary S. Littleton, and Minnie M. Brabson, heirs of Reese B. Brabson, *v.* United States (S. Doc. No. 127).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

## PROPOSED TAX ON CORPORATIONS.

The PRESIDENT pro tempore laid before the Senate a communication from the president of the Chamber of Commerce of Rochester, N. Y., transmitting resolutions adopted at a meeting of that body, remonstrating against the proposed taxation of corporations, which, with the accompanying paper, was referred to the Committee on Finance.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. W. J. Browning, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9135) to raise revenue for the Philippine Islands, and for other purposes; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HILL, Mr. NEEDHAM, and Mr. POW, managers at the conference on the part of the House.

The message also announced that the House had passed the joint resolution (S. J. R. 40) proposing to amend the Constitution of the United States in regard to taxes on incomes.

## ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 9541) to amend an act entitled "An act to temporarily provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and it was thereupon signed by the President pro tempore.

## ADJOURNMENT TO FRIDAY.

Mr. LODGE. I move that when the Senate adjourns to-day it be to meet on Friday next.

The motion was agreed to.

## BILLS INTRODUCED.

Bills were introduced, read the first time, and by unanimous consent the second time, and referred as follows:

By Mr. SHIVELY:

A bill (S. 2917) to remove the charge of desertion from the military record of Charles Rankert and to grant him an honorable discharge (with the accompanying paper); to the Committee on Military Affairs.

A bill (S. 2918) granting an increase of pension to John J. Fritzer;

A bill (S. 2919) granting an increase of pension to Seth Henderson;

A bill (S. 2920) granting an increase of pension to James Hess;

A bill (S. 2921) granting an increase of pension to John C. Woody; and

A bill (S. 2922) granting an increase of pension to James S. Ellis (with the accompanying paper); to the Committee on Pensions.

By Mr. MONEY:

A bill (S. 2923) for the relief of the estate of Mrs. Mary Dean, deceased (with the accompanying papers); to the Committee on Claims.

By Mr. GAMBLE:

A bill (S. 2924) granting an increase of pension to Calvin E. Seamans; to the Committee on Pensions.

A bill (S. 2925) to increase the limit of cost for the enlargement, extension, remodeling, and improvement of the federal building at Sioux Falls, S. Dak.; to the Committee on Public Buildings and Grounds.

By Mr. BRADLEY (by request):

A bill (S. 2926) for the relief of the Cameron Septic Tank Company (Incorporated);

A bill (S. 2927) for the relief of the Cameron Septic Tank Company (Incorporated); and

A bill (S. 2928) for the relief of the Cameron Septic Tank Company (Incorporated); to the Committee on Claims.

By Mr. BORAH:

A bill (S. 2929) granting an increase of pension to Judson Spofford (with the accompanying papers); and

A bill (S. 2930) granting a pension to Thomas B. Ryan; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 2931) granting an increase of pension to John W. Spencer (with the accompanying papers);

A bill (S. 2932) granting an increase of pension to Ezra W. Robinson (with the accompanying paper);

A bill (S. 2933) granting an increase of pension to David A. McKeehen (with the accompanying paper);

A bill (S. 2934) granting an increase of pension to Lafayette Spangle (with the accompanying papers);

A bill (S. 2935) granting an increase of pension to John E. Walters (with the accompanying papers);

A bill (S. 2936) granting an increase of pension to George W. Taylor (with the accompanying papers);

A bill (S. 2937) granting an increase of pension to William Anderson (with the accompanying paper);

A bill (S. 2938) granting an increase of pension to Morris B. McKeever (with the accompanying paper);

A bill (S. 2939) granting an increase of pension to Nathaniel H. Kendrick (with the accompanying papers);

A bill (S. 2940) granting an increase of pension to Elmer D. Cook;

A bill (S. 2941) granting a pension to Ada Ward; and

A bill (S. 2942) granting an increase of pension to Jacob Welcher; to the Committee on Pensions.

#### INTERSTATE RAILROAD EMPLOYEES.

On motion by Mr. NEWLANDS, it was

*Ordered*, That 1,000 additional copies of Senate Document No. 691, Sixtieth Congress, second session, "Acts of Congress affecting railroad employees and orders of the Interstate Commerce Commission made in accordance with said acts," be printed for the use of the Senate document room.

#### TARIFF STATISTICS.

Mr. LA FOLLETTE. Mr. President, I ask leave to have printed as a Senate document tables comparing the tariff bill as passed by the Senate, showing the increases and decreases made in the several items, with the existing law. The tables were prepared by the Bureau of Statistics.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and the order is made (S. Doc. No. 128).

#### POPULAR INITIATIVE IN SWITZERLAND.

Mr. LA FOLLETTE. I ask to have printed as a document a report of Leo J. Frankenthal, vice-consul at Berne, Switzerland, on the Workings of the Popular Initiative in Switzerland.

The PRESIDENT pro tempore. Without objection, the report will be printed as a document (S. Doc. No. 126).

#### DISTRICT WORKHOUSE AND DISTRICT REFORMATORY.

Mr. CARTER. From the Committee on the District of Columbia, I report a bill and request unanimous consent for its present consideration. I ask that the bill be read, and then I will make a brief statement of the urgency which calls for present action.

The bill (S. 2916) to amend the provision in the District of Columbia appropriation act approved March 3, 1909, for the purchase of sites for a workhouse and reformatory for the District of Columbia, was read twice by its title.

The PRESIDENT pro tempore. The Senator from Montana asks unanimous consent for the present consideration of the bill.

Mr. LODGE. Mr. President, I have, of course, no objection whatever to the bill, but it seems to me that, under the language of the unanimous-consent agreement printed on the calendar, we can hardly properly consider it.

Mr. CARTER. Mr. President, I realize that the suggestion of the Senator from Massachusetts will obtain, unless a local bill of this kind, recommended by the Attorney-General of the United States and the Commissioners of the District, can be regarded as constituting routine morning business. Congress is the town council of the District of Columbia, and its work is not of a national character in dealing with the District purely with reference to local and municipal affairs.

The immediate cause of anxiety for the passage of this bill arises from this state of facts: In the District of Columbia appropriation act which was passed on the 3d of last March the Commissioners of the District of Columbia were authorized and directed to secure by purchase or otherwise two tracts of land, not less than 1,000 acres each, in the States of Maryland and Virginia, or both of the tracts in one State. The commissioners, in pursuance of the authority and direction thus given them, proceeded to select the land contemplated. But upon a full investigation it has been determined that the jurisdiction of the District of Columbia over the land acquired would be no greater than that of any ordinary landed proprietor; that it would not be a jurisdiction which would warrant restraining prisoners, either in the workhouse or in the reformatory.

Therefore it follows that in order to secure the necessary jurisdiction over the land to be acquired it is necessary to have the title pass to the United States, the States of Maryland and Virginia having both by general enactment ceded to the Federal Government exclusive jurisdiction over such lands within the borders of the States named as may be acquired for governmental purposes. The bill, prepared by the law officers of the District of Columbia, is urgently recommended by the commissioners and is likewise approved in opinion by the Attorney-General.

I realize that it is dangerous to deviate from the unanimous-consent agreement. I would be the last to urge that that be done in a matter of legislation which could in any sense be objected to on the merits.

Mr. CULBERSON. Mr. President, I agree with the Senator from Massachusetts that the consideration and passage of this bill, however meritorious it may be, would be in violation of the unanimous-consent agreement, and I do not think we ought at any time to violate such an agreement.

In order that there may be no misunderstanding about it, I will read it, so that it may appear in the Record:

It is agreed by unanimous consent that the Senate will adjourn from time to time for three days at a time until the conference report is ready upon the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, and that no business shall be transacted at the sessions of the Senate prior to the report of the conference committee upon the said bill other than the transaction of the routine morning business and the consideration of the deficiency appropriation bill now pending in the House of Representatives.

Mr. CARTER. Mr. President, the Senator's suggestion of the unanimous-consent agreement is quite sufficient, but in order that the nature of the recommendations in behalf of the bill may be available to those interested in looking up the matter, I ask unanimous consent that the bill be placed upon the calendar, and that it likewise be printed in the Record, followed by the communications which I send to the desk for that purpose.

The PRESIDENT pro tempore. The bill will go to the calendar. Without objection, the request of the Senator from Montana to print the bill and the communications in the Record will be complied with.

The matter referred to is as follows:

A bill (S. 2916) to amend the provision in the District of Columbia appropriation act approved March 3, 1909, for the purchase of sites for a workhouse and reformatory for the District of Columbia.

*Be it enacted, etc.*, That the titles to the tracts of land to be purchased for a workhouse and a reformatory provided for in the act approved March 3, 1909, being an act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1910, and for other purposes, shall be taken directly to and in the name of the United States; and in case satisfactory price can not be agreed upon for the purchase of either or both of said tracts, or in case the title to either or both of said tracts can not be made satisfactory to the Attorney-General of the United States,



then the latter is directed to procure said tract or tracts of land by condemnation, and the expenses of procuring evidence of title or of condemnation, or both, shall be paid out of the appropriations made for the purchase of the tracts.

COMMISSIONERS OF THE DISTRICT OF COLUMBIA,  
EXECUTIVE DEPARTMENT,  
Washington, July 12, 1909.

DEAR SENATOR CARTER: Senator GALLINGER requested me to hand you the inclosed draft of a bill which the commissioners sent to him as chairman of the Senate Committee on the District of Columbia, with the request that it be enacted at this session. The District appropriation act approved March 3, 1909, contains the following paragraph:

SITES FOR REFORMATORY AND WORKHOUSE.

"The Commissioners of the District of Columbia are hereby authorized and directed to purchase two tracts of land, widely separated, of not less than 1,000 acres each, either or both of which to be situated in the State of Maryland or in the State of Virginia; one of said tracts shall be used as a site for the construction and erection of a reformatory of sufficient capacity to accommodate at least 1,000 inmates, and the other for the construction and erection of a workhouse of sufficient capacity to accommodate at least 500 prisoners, and to build necessary temporary structures on each tract; the said commissioners are hereby authorized and directed to appoint a commission to consist of three persons, one of said commissioners shall be chairman, which commission shall employ an architect skilled in the construction of such buildings to prepare all plans, specifications, and estimates deemed necessary or required by said commission, and which shall first be approved before acceptance by the Commissioners of the District of Columbia, who are hereby required to construct said reformatory and workhouse; and on their direction the prisoners at the time confined in any existing workhouse of said District shall clear and prepare any or all such tracts of land for building, and assist in the construction of any or all of said buildings; and the supreme court of the District of Columbia, and the Attorney-General, and the warden of the jail of said District are hereby authorized and directed, on the request of the Commissioners of the District of Columbia, to require male prisoners at the time serving sentence in said jail to do the said work. For the purchase or condemnation of said sites, work of preparing same for buildings, and erection of said temporary structures and the means necessary thereto, the sum of \$16,696.64 is hereby appropriated, and in addition thereto the unexpended balance amounting to \$83,303.36 of the appropriation of \$85,000 for the erection of an administrative building for the workhouse for males in the District of Columbia appropriation act approved March 2, 1907, is hereby reappropriated and made available for these purposes: *Provided*, That no expense for the actual erection of permanent buildings shall be incurred until an appropriation shall be made for such purpose.

"For architects' services and necessary expenses of said commission, to be approved by the Commissioners of the District of Columbia, \$10,000: *Provided*, That all appropriations herein made for said reformatory and workhouse are hereby made immediately available."

Under the authority of this act the commissioners proceeded at once to find suitable sites, advertised for offers, received a number, and inspected them, and have decided upon a site for the workhouse in Virginia, and have narrowed down the selection of a site for the reformatory to two or three sites in Maryland. When the commissioners began to prepare to acquire the Virginia site, the question was raised as to how the title should be taken, and this brought a reference of the matter to the Attorney-General of the United States who has rendered an opinion, a copy of which is inclosed.

It will be seen that the enactment of the bill is absolutely necessary under the Attorney-General's opinion, and also that this important matter halts until this additional legislation is enacted. As it is very desirable that the sites should be procured at once and the work of preparing them for future use be done during the summer, the commissioners earnestly desire that the Senate may pass this bill at the earliest possible day.

Sincerely, yours,

HENRY B. F. MACFARLAND.

Hon. THOMAS H. CARTER,  
United States Senate.

OFFICE OF THE ATTORNEY-GENERAL,  
Washington, D. C., June 30, 1909.

The President, The White House.

DEAR MR. PRESIDENT: I have the honor to return herewith the letter of Hon. Henry L. West, acting president of the Board of Commissioners of the District of Columbia, dated June 24, 1909, and a letter of Mr. Alonzo Tweedale, auditor of the District of Columbia, dated June 21, 1909, both relating to the acquisition of two tracts of land, one of which is to be used as a site for the construction and erection of a reformatory and the other for the construction and erection of a workhouse, to be situated either in the State of Maryland or State of Virginia. The question suggested by these letters is whether or not title to this land is, under the act of Congress authorizing its purchase, to be taken in the name of the Commissioners of the District or in the name of the United States.

The provision for the purchase of these sites is found in the act of Congress approved March 3, 1909 (Public, No. 303, p. 34; H. R. 25392), entitled:

"An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1910, and for other purposes."

The provision referred to is found under the head of "Courts and prisons," and is as follows:

"The Commissioners of the District of Columbia are hereby authorized and directed to purchase two tracts of land widely separated, of not less than 1,000 acres each, either or both of which to be situated in the State of Maryland or in the State of Virginia; one of said tracts shall be used as a site for the construction and erection of a reformatory of sufficient capacity to accommodate at least 1,000 inmates, and the other for the construction and erection of a workhouse of sufficient capacity to accommodate at least 500 prisoners; and to build necessary temporary structures on each tract. \* \* \* For the purchase or

condemnation of said sites, work of preparing same for buildings"—etc., the sum of \$16,696.64 is appropriated and in addition an unexpended balance of \$83,303.36 of a previous appropriation. The commissioners are authorized and directed to appoint a commission of three persons, who shall employ an architect to prepare plans, specifications, and estimates, to be approved before acceptance by the commissioners, who are required to construct said reformatory and workhouse and—

"on their direction the prisoners at the time confined in any existing workhouse of said District shall clear and prepare any or all of such tracts of land for building and assist in the construction of any or all of said buildings; and the supreme court of the District of Columbia and the Attorney-General and the warden of the jail of said District are hereby authorized and directed on the request of the Commissioners of the District of Columbia to require male prisoners at the time serving sentence in said jail to do the said work."

It seems to be clear from this act that the purchase is directed by Congress to be made by the Commissioners of the District of Columbia, and that the title of the land when purchased must be taken in the name of the Commissioners of the District—being a municipal corporation, a distinct entity—and not in the name of the United States. That the District is a separate and distinct municipal corporation and not a mere agency of the United States is well settled. (22 Opinions A. G., p. 55; Metropolitan Railroad v. District of Columbia, 132 U. S., 1; District of Columbia v. Woodbury, 136 U. S., 450.) In case such purchase should be made by the Commissioners of the District, they would be without exclusive jurisdiction over the land, as the cession of jurisdiction and authority to purchase, granted to the United States by the States of Maryland and Virginia, respectively, do not apply to the Commissioners of the District. (See Code of Maryland, 1904, p. 2087, sec. 26; Code of Virginia, 1904, p. 28, sec. 15.) Indeed, it may be seriously questioned whether, without special legislation in the States of Maryland or Virginia, the Commissioners of the District could lawfully hold prisoners on the lands so purchased within either of those States. The act of Congress should be amended so as to require title to the property to be taken in the name of the United States.

Respectfully,

GEO. W. WICKERSHAM,  
Attorney-General.

CORPORATION TAX.

Mr. SHIVELY. I ask to have printed in the RECORD a communication bearing upon the corporation tax, omitting from the communication those parts I have marked as being purely personal.

There being no objection, the paper was ordered to be printed in the RECORD as follows:

UNITED STATES TRUST COMPANY,  
Terre Haute, Ind., July 7, 1909.

Hon. B. F. SHIVELY,  
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am taking the liberty of writing you in respect to the proposed federal corporation-tax measure. \* \* \* Aside from every other consideration I particularly call your attention to the fact that it would actually be, I fear, confiscatory in its effect upon trust companies and similar banking organizations operating in this State. For instance, in enumerating the deductions from gross income which corporations are permitted to make in order to determine the amount of income upon which the tax is to be assessed, provision is made for deducting "interest actually paid within the year on its bonded or other indebtedness to an amount of such bonded and other indebtedness not exceeding the paid-up capital stock of such corporation, etc." No other provision is made, so far as I have discovered, for deducting interest paid by a trust company or banking institution upon deposits. Taking our own institution as a concrete case, we have a paid-up capital stock of \$250,000. We have savings deposits upon which we pay interest at the rate of 4 per cent per annum, amounting to a million and a quarter dollars, and time certificates of deposit upon which we pay a like rate of interest, amounting to approximately \$500,000 or more. If the language of the act is to be literally construed, we could only deduct interest on these deposits up to the sum of \$250,000, leaving a million and a half of deposits on which we pay interest at 4 per cent per annum, which could not be deducted from gross income. If this measure becomes a law and should be interpreted according to its literal terms, it would practically drive us out of business, because of our inability to compete with the local savings bank, which is not subject to the tax.

With kindest personal regards, I am, as ever,  
Very truly, yours,

JOHN T. BEASLEY.

DUTY ON STEEL RAILS.

Mr. SHIVELY. I also ask unanimous consent to have printed in the RECORD a telegram from E. J. Buffington, president of the Indiana Steel Company, bearing upon the tariff bill now in conference.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

GARY, IND., June 14, 1909.

Hon. BENJAMIN F. SHIVELY,  
United States Senate, Washington, D. C.:

The present rate on rails in House and Senate bill is \$3.92 per gross ton. Foreign rails have been sold as low as \$17.40 f. o. b. Antwerp. Present rate of freight Antwerp, Hamburg, or Bremen to San Francisco, Portland, Tacoma, or Seattle is \$4.80, and with the duty in the Senate bill of \$3.24 is equivalent to a delivered price, duty paid, of \$26.12 on foreign rails. Our present freight rate from Gary to the Pacific coast is \$11. To meet this competition we would have to sell rails as low as \$15.12 Gary. It is evident that if the proposed rate of \$3.92 per gross ton is maintained it will result in foreign producers taking away our market to the Atlantic coast, Gulf, and Pacific coast. I

consider the situation grave and ask that you do everything that you can to protect us.

E. J. BUFFINGTON,  
President Indiana Steel Company.

#### EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 12 o'clock and 22 minutes p. m.) the Senate adjourned until Friday, July 16, 1909, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate July 13, 1909.*

#### ASSISTANT SURGEONS IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Lawrence Kolb, of Maryland, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to fill an existing vacancy.

Richard H. Lyon, of Minnesota, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to fill an existing vacancy.

James P. Leake, of Massachusetts, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to fill an existing vacancy.

Herman E. Hasseltine, of Vermont, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to fill an existing vacancy.

#### UNITED STATES MARSHAL.

James H. Anderson, of Utah, to be United States marshal for the district of Utah, vice William Spry, resigned.

#### PROMOTIONS IN THE ARMY.

##### MEDICAL CORPS.

*To be captains after three years' service.*

First Lieut. Albert G. Love, Medical Corps, from June 30, 1909.

First Lieut. Harold W. Jones, Medical Corps, from June 30, 1909.

First Lieut. Omar W. Pinkston, Medical Corps, from June 30, 1909.

First Lieut. Mathew A. Reasoner, Medical Corps, from June 30, 1909.

##### CAVALRY ARM.

First Lieut. Dorsey Cullen, Thirteenth Cavalry, to be captain from July 1, 1909 (subject to examination required by law), vice Capt. John C. Raymond, Second Cavalry, who died on that date.

First Lieut. Louis R. Ball, Thirteenth Cavalry, to be captain from July 2, 1909, vice Capt. Beverly A. Read, Sixth Cavalry, whose resignation as a captain of cavalry was accepted to take effect on that date, having previously accepted an appointment as judge-advocate with the rank of major.

Second Lieut. William F. Wheatley, Fifth Cavalry, to be first lieutenant from July 1, 1909, vice First Lieut. Dorsey Cullen, Thirteenth Cavalry, promoted.

Capt. Ernest V. Smith, paymaster, by detail, to be major of infantry from July 7, 1909, vice Maj. Charles J. T. Clarke, Twenty-sixth Infantry, dismissed, to take effect on that date.

#### PROMOTIONS IN THE NAVY.

Passed Asst. Surg. Samuel S. Rodman to be a surgeon in the navy from the 11th day of December, 1908, vice Surg. George Rothganger, retired.

The following-named assistant surgeons to be passed assistant surgeons in the navy from the dates set opposite their names, upon the completion of three years' service in the present grade:

Ernest O. J. Eytinge, May 24, 1908;

Curtis B. Munger, July 7, 1908;

Fletcher H. Brooks, July 14, 1908;

Edward U. Reed, September 21, 1908;

Edgar L. Woods, October 14, 1908; and

Ausey H. Robnett, March 24, 1909.

The following-named paymasters with the rank of lieutenant, to be paymasters in the navy with the rank of lieutenant-commander, from the 1st day of July, 1909:

Theodore J. Arms,  
George R. Venable,  
Hugh R. Insley,  
George M. Stackhouse,  
Grey Skipwith,  
Trevor W. Leutze,  
McGill R. Goldsborough,  
David V. Chadwick, and  
Eugene C. Tobey.

The following-named naval constructors with the rank of lieutenant, to be naval constructors in the navy with the rank of lieutenant-commander, from the 1st day of July, 1909:

William G. Du Bose, and  
Ernest F. Eggert.

#### POSTMASTERS.

##### CALIFORNIA.

James A. Kelly to be postmaster at Beaumont, Cal. Office became presidential July 1, 1909.

Oscar H. Tetzlaff to be postmaster at McKittrick, Cal. Office became presidential July 1, 1909.

##### IDAHO.

James H. Huling to be postmaster at Spirit Lake, Idaho. Office became presidential July 1, 1909.

##### ILLINOIS.

Frank W. Anderson to be postmaster at Donovan, Ill. Office became presidential July 1, 1909.

Edward F. Shaffer to be postmaster at Grayslake, Ill. Office became presidential July 1, 1909.

##### KANSAS.

Charles W. Yoder to be postmaster at Haddam, Kans. Office became presidential April 1, 1909.

##### NEW JERSEY.

Michael McDermott to be postmaster at Allendale, N. J. Office became presidential July 1, 1909.

Edmund Maples to be postmaster at Oradell, N. J. Office became presidential July 1, 1909.

Harry B. Ridgeway to be postmaster at Pemberton, N. J. Office became presidential October 1, 1908.

##### NEW YORK.

Matthew McManus to be postmaster at Orangeburg, N. Y. Office became presidential July 1, 1909.

Frederick W. Woolsey to be postmaster at Milton, N. Y. Office became presidential July 1, 1909.

##### NORTH CAROLINA.

Saunders V. Hudson to be postmaster at Apex, N. C. Office became presidential January 1, 1909.

##### NORTH DAKOTA.

Henry W. O'Dell to be postmaster at Reeder, N. Dak. Office became presidential July 1, 1909.

##### OKLAHOMA.

James W. Brady to be postmaster at Haskell, Okla. Office became presidential January 1, 1909.

##### SOUTH DAKOTA.

Ferd Reichmann to be postmaster at Dallas, S. Dak. Office became presidential July 1, 1909.

##### TEXAS.

Lee H. Meyer to be postmaster at Rosenberg, Tex. Office became presidential January 1, 1909.

##### WYOMING.

Alexander Lyall to be postmaster at Yellowstone Park, Wyo. Office became presidential July 1, 1909.



## CONFIRMATIONS.

*Executive nominations confirmed by the Senate July 13, 1909.*

## PROMOTIONS IN THE ARMY.

## INFANTRY ARM.

Lieut. Col. James A. Irons to be colonel.  
Maj. Lyman W. V. Kennon to be lieutenant-colonel.  
Capt. Charles C. Ballou to be major.

## PROMOTIONS IN THE NAVY.

Commander William F. Fullam to be a captain.  
Lieut. Robert W. McNeely to be a lieutenant-commander.  
Second Lieut. Edward S. Willing to be a first lieutenant in the Marine Corps.

The following-named machinists to be chief machinists:

Harold I. Lutken,  
Daniel Mullan,  
George T. Brownridge,

Ralph F. Nourse,  
William J. Trevorow, and  
William C. Gray.

## APPOINTMENT IN THE NAVY.

Robert M. Gilson to be a captain in the Marine Corps.

## POSTMASTERS.

## ILLINOIS.

Frank B. Keen, at Christopher, Ill.

## KENTUCKY.

Henry C. Metcalfe, at Brooksville, Ky.

## NEW YORK.

C. A. Wood, at Brown Station, N. Y.

## PENNSYLVANIA.

George R. Laird, at Youngwood, Pa.